Roll No...............................

HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)
SCHOOL OF LAW
JAMIA HAMDARD, NEW DELHI - 110062
LL.M. III[rd] END SEMESTER, 2023
Tax Policies & Tax Reforms
LL.M.(B)-301

Time: 3 Hours **Maximum Marks: 60**

Write your Roll No. on the top immediately on receipt of this question paper. Attempt five questions selecting one from each unit. All questions carry equal marks.

UNIT-I **(12 Marks)**

Q1. In the light of OECD recommendations, explain the objectives and principles on the basis of which India may draw inspiration in designing its tax policies.

OR

Q2. Explain the various categories of tax systems existing globally with the help of examples. Which of them in your opinion is the most feasible tax system for the Indian economy? Give reasons.

UNIT-II **(12 Marks)**

Q3. The Task Force on the Direct Tax Law constituted in 2017 has come up with a draft on the new Direct Tax Law. Discuss the key suggestions given by the Task Force on the Direct Tax Law. Also discuss the factors due to which the proposed Direct Tax Code could not be implemented in India? Whether the Direct Tax Code should be implemented in the light of the present situation of the Indian economy? Cite reasons.

OR

Q4. 'In the developing countries, tax policy is often the art of the possible rather than the pursuit of the optimal.' Explain.

UNIT-III **(12 Marks)**

Q5. Explain the constitution, role and the procedure adopted by the GST Council in taking decisions while allocating the amount of revenue to the Centre and State Governments.

OR

Q6. What are the various kinds of GSTs existing in India? Discuss the circumstances that paved way to the enactment of the GST Act, 2017 in India.

UNIT-IV **(12 Marks)**

Q7. 'The GST regime over the last five years has showcased the cracks emerging in federal cooperation.' Comment.

OR

Q8. Introduction of the GST required amendments in the Indian Constitution so as to simultaneously empower the Centre and the States to levy and collect this tax. In this context, discuss the various relevant provisions under the Indian Constitution that specifically deal with the concept of GST.

UNIT-V (12 Marks)

Q9. The old Benami Transactions Act, 1988 was amended to introduce the Benami Transactions (Prohibition) Amendment Act, 2016 as a strict measure against the parties accused of being involved in the benami transactions. As a result, some specific provisions were inserted into the Act of 2016 that were *prima facie* unconstitutional and violative of the fundamental rights enshrined under the Constitution of India. Explain the facts, issues and the decision in the light of *Union of India v. M/S Ganpati Dealcom Pvt. Ltd.* [Civil Appeal No. 5783 of 2022 dated August 23, 2022.]

OR

Q10. The consequences of the phenomenon of tax evasion and tax avoidance are different for the tax payers; however both of them contribute towards the reduction of revenue to the exchequer to a major extent. Discuss various factors that contribute towards the creation of Black Market economy in India and suggest the measures to combat such problems.

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